REMARKS/ARGUMENTS

In response to the subject Office Action, an Amendment to the Specifications and to the Claims section is herein submitted.

Examiner Michael Rutland-Wallis is thanked for thoroughly reviewing the above referenced patent application, and for the indication of allowability once various formal matters and informalities are corrected.

Remarks on the "Specification"

In the description of Fig. 15, the erroneous words "translinear amplifier" were used instead of the words "operational amplifier"; the mistyping is corrected.

Remarks and Arguments on "Claim Rejections due to nonstatutory double patenting"

Reconsideration of the rejection of claim 14, as being unpatentable over claim 1 of copending Application No. 10/764,914, is requested, based on the following.

Both Applications No. 10/764,920 and No. 10/764,914 implement a variable capacitor, controlling the capacitance in a linear mode. However Claim 14 in Application No. 10/764,920 implements the linear control circuit in a considerably wider aspect, using a (general purpose) operational amplifier, whereas Claim 1 in Application No. 10/764,914 implements its linear control circuit with a specific translinear amplifier. The invention

claimed in Application No. 10/764,914 is explicitly based on the specific characteristic of a translinear amplifier.

A translinear amplifier compares a differential voltage at its two inputs and provides the same differential voltage at its two outputs; i.e. the output difference of said amplifier strictly follows the difference at said amplifier inputs; the outputs can float in a wide range, perfectly decoupling the inputs and outputs. Transferring the input difference to the output difference means, the gain of a translinear amplifier is 1. The possibility to place the translinear amplifier's reference output at any desired level, allows to perfectly match it with the switching transistor's input requirements. The same optimized matching is unachievable with a standard operation amplifier.

On the other side, the invention as disclosed in Applications No. 10/764,920 is not limited to the use of translinear amplifiers. In certain situations, standard operational amplifiers can play their distinct characteristics, for example the wide range of possible gain factors.

For a person with ordinary skill in the art, substitution of an operational amplifier for the linear control circuit, in place of a translinear amplifier would definitely not be obvious, for the reasons stated above. Claim 14 in Application No. 10/764,920 is therefore patentably distinct over Claim 1 in Application No. 10/764,914.

Reconsideration of the rejection of claims 17 and 18, as being unpatentable over claims 6 and 9 of copending Application No. 10/764,914, is requested, based on the following. Claims 17 and 18 in Application No. 10/764,920 are dependent claims which refer to claim 14 therein. As applicant considers claim 14 as being patentably distinct from claim 1 in copending Application No. 10/764,914, thus claims 17 and 18 are as well patentably distinct from claims 6 and 9 of copending Application No. 10/764,914.

Remarks and Arguments on "Claim Rejections - 35 USC § 112"

Due to a word-processing program problem, several claim references were misprinted. The error only shows up in a printed output, not in the editing mode of the same document. The errors in claims-referencing are now amended in the claims. Nothing else is changed in the claims. Claims 2, 3, 6, 7 and 8 are again in their original form – these claims are marked "Currently Amended" only because of the correction of the intermediate 'reference-printing' problem.

Reconsideration of the above rejection is therefore respectfully requested.

All claims are now believed to be in condition for allowance, and allowance is so requested.

It is requested that should there be any problems with this Amendment, please call the undersigned Attorney at (845) 452-5863.

Respectfully submitted,

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